

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

Laredo National Bancshares Inc., et al.,	)	Civil Action No. 1:00 CV 2081
	)	
Plaintiffs,	)	Judge Lesley Wells
	)	Magistrate Judge Nancy Vecchiarelli
vs.	)	
	)	
Donald E. Schulz, et al.,	)	<b>Joint Motion for Enlargement of</b>
	)	<b><u>Time to Complete Discovery</u></b>
Defendants.	)	

Now come the parties, by and through their respective counsel, and hereby move the Court, pursuant to Fed. R. Civ. P. 7(b) and LR 7.1, for an order extending the discovery cutoff, currently set for August 1, 2001, until Monday, December 31, 2001. In conjunction with this, the parties request that the dispositive motion briefing schedule be reset to the following dates: Dispositive motions to be filed on or before January 15, 2002; responses by January 25, 2002; and replies by February 4, 2002. This extended discovery cutoff and revised dispositive motion schedule should allow the parties to complete the necessary discovery and maintain the current trial date, which

is set for March 4, 2002 at 9:30 a.m. A brief in support of this motion is attached.

Respectfully submitted,

/s/ Patrick M. McLaughlin  
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Counsel for defendant Donald E. Schulz



**BRIEF**

On June 21, 2001, this Court held a status conference. One issue for discussion was the parties need for additional time to conduct discovery. The parties were directed to file a joint motion with the Court requesting the additional time. Accordingly, the parties so move.

The Case Management Conference was held on December 12, 2000. This case was assigned to the standard case management track and the discovery cutoff was set for August 1, 2001. At that time, the parties informed the Court that they believed this case was more analogous to a complex case due to the complexity of the legal issues and the scope of necessary discovery. The Court indicated that it would set the discovery cutoff pursuant to the standard track guideline, but would entertain a motion to extend at a later time, if necessary. The parties hereby jointly move the Court for an enlargement of time to conduct discovery until December 31, 2001.

To date, extensive discovery has been taken by plaintiffs. Plaintiffs have begun or completed the depositions of seven (7) current and former employees of the National Drug Intelligence Center. Pursuant to the governing Code of Federal Regulations, plaintiffs had to request and receive authorization to conduct this discovery. The delay associated with this process has hindered the ability to complete all necessary depositions within the current time frame.

In addition to the depositions completed or begun, plaintiffs need to complete the depositions of three or four additional government employees, certain members of the

media, and ultimately the named defendant, Donald E. Schulz.

To date, defendant Schulz has not initiated any non-written discovery, due in part to defendant's belief that plaintiffs' responses are inadequate. Defendant Schulz will attempt to resolve these perceived inadequacies with counsel for plaintiffs. Thereafter, defendant Schulz will conduct those depositions he deems necessary.

In addition to the need for additional time to complete the necessary discovery, counsel for the parties have a congested trial schedule in the summer and fall which will hinder the ability to complete the necessary discovery in the time allotted. Accordingly, the parties jointly move the Court for an enlargement of the time within which to conduct discovery. The parties respectfully request the Court to extend the discovery cutoff date until December 31, 2001.

In order to not disturb the current trial date, which is set for March 4, 2002, the parties suggest an expedited dispositive motion schedule. In connection with the enlargement of the discovery cutoff, the parties request that the dispositive motion cutoff be reset to January 15, 2002, with responses to be filed by January 25, 2002 and replies by February 4, 2002. In addition, we request a corresponding revision in the deadlines for trial preparation set forth in the Court's Civil Jury Trial Order. This motion is not filed for any purpose of delay.

### **Conclusion**

Based on the foregoing, the parties jointly move the Court for an enlargement of the discovery period, until December 31, 2001. In connection with this enlargement, the parties request the Court to reset the dispositive motion briefing schedule to allow

dispositive motions to be filed on or before January 15, 2002, responses by January 25, 2002, and replies by February 4, 2002.

Respectfully submitted,

/s/ Patrick M. McLaughlin

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